

BEFORE THE FISH, WILDLIFE AND PARKS COMMISSION
OF THE STATE OF MONTANA

In the matter of the adoption of New) NOTICE OF PUBLIC HEARING ON
Rule I pertaining to deer licenses) PROPOSED ADOPTION
separated from nonresident big game)
combination licenses)

TO: All Concerned Persons

1. On June 22, 2012 at 6:00 p.m., the Fish, Wildlife and Parks Commission (commission) will hold a public hearing at the Department of Fish, Wildlife and Parks, 1420 East Sixth Avenue, Helena, Montana to consider the proposed adoption of the above-stated rule.

2. The commission will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than June 8, 2012, to advise us of the nature of the accommodation that you need. Please contact Coleen Furthmyre, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana 59620-0701; telephone (406) 444-4594; fax (406) 444-7456; or e-mail cfurthmyre@mt.gov.

3. The rule as proposed to be adopted provides as follows:

NEW RULE I NONRESIDENT DEER LICENSES SEPARATED FROM BIG GAME COMBINATION LICENSES (1) When a B-10 elk combination license is issued, the remaining deer portion becomes a separate B-11 deer combination license.

(2) When deer populations are significantly below long-term averages or objectives across large portions of the state, the commission will determine the number of B-11 licenses to be issued.

AUTH: 87-1-301, 87-2-512, MCA
IMP: 87-1-301, 87-2-512, MCA

Reasonable Necessity: State law allows the commission to separate the Class B-7 license from the Class B-10 license and sell the separated license as a Class B-11 license. Historically the commission has adopted annual rules regarding the procedure to issue these licenses year after year without any changes or controversy. The commission is proposing adopting the language contained in the annual rule as administrative rules rather than addressing the rules annually.

4. Concerned persons may present their data, views, or arguments, either orally or in writing, at the hearing. Written data, views, or arguments may also be submitted to Hank Worsch, P.O. Box 200701, Helena, Montana 59620-0701; or e-mail hworsch@mt.gov, and must be received no later than June 29, 2012.

5. Hank Worsch or another hearing officer appointed by the department has been designated to preside over and conduct the hearing.

6. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request which includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about whom the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, faxed to the office at (406) 444-7456, or may be made by completing the request form at any rules hearing held by the department.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ Bob Ream

Bob Ream, Chairman

Fish, Wildlife and Parks Commission

/s/ Rebecca Jakes Dockter

Rebecca Jakes Dockter

Rule Reviewer

Certified to the Secretary of State May 14, 2012